

strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

On page 818, beginning on line 16, strike “(b) RULE OF CONSTRUCTION.—Nothing in this paragraph” and insert the following:

(b) REPRESENTATIVE TITLE FOR DIRECTOR OF AMERICAN INSTITUTE IN TAIWAN’S TAIPEI OFFICE.—The position of Director of the American Institute in Taiwan’s Taipei office shall have the title of Representative.

(c) RULE OF CONSTRUCTION.—Nothing in this section

SA 1778. Mr. RUBIO (for himself, Mr. CARDIN, and Mr. BARRASSO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division E, add the following:

Subtitle C—South China Sea and East China Sea Sanctions Act

SEC. 5221. SHORT TITLE.

This subtitle may be cited as the “South China Sea and East China Sea Sanctions Act of 2021”.

SEC. 5222. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA’S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 120 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese person that the President determines—

(1) is responsible for or significantly contributes to large-scale reclamation, construction, militarization, or ongoing supply of disputed outposts in the South China Sea; (2) is responsible for or significantly contributes to, or has engaged in, directly or indirectly, actions or policies using coercion to inhibit another country from protecting its sovereign rights to access offshore resources in the South China Sea, including in such country’s exclusive economic zone, consistent with such country’s rights and obligations under international law; (3) is responsible for or complicit in, or has engaged in, directly or indirectly, actions or policies that significantly threaten the peace, security, or stability of disputed areas of the South China Sea or areas of the East China Sea administered by Japan or the Republic of Korea, including through the use of vessels and aircraft by the People’s Republic of China to occupy or conduct extensive research or drilling activity in those areas; (4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, or in support of, any person subject to sanctions pursuant to paragraphs (1), (2), or (3); or (5) is owned or controlled by, or has acted or purported to act for or on behalf of, di-

rectly or indirectly, any person subject to sanctions pursuant to paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien may be—

(i) inadmissible to the United States; (ii) ineligible to receive a visa or other documentation to enter the United States; and (iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subparagraph (A) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) may—

(I) take effect immediately; and (II) cancel any other valid visa or entry documentation that is in the alien’s possession.

(3) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person.

(4) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the person under—

(A) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(B) any other statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or services.

(5) INCLUSION ON ENTITY LIST.—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(6) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the person.

(7) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(8) CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—In the case of a foreign financial institution, the President may prohibit the

opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(c) EXCEPTIONS.—

(1) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (b)(1).

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission of an alien to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(d) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) DEFINITIONS.—In this section:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31, United States Code.

(2) ALIEN.—The term “alien” has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) CHINESE PERSON.—The term “Chinese person” means—

(A) an individual who is a citizen or national of the People’s Republic of China; or

(B) an entity organized under the laws of the People’s Republic of China or otherwise subject to the jurisdiction of the Government of the People’s Republic of China.

(4) FINANCIAL INSTITUTION.—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term “foreign financial institution” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) PERSON.—The term “person” means any individual or entity.

(7) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 5223. PROHIBITION AGAINST DOCUMENTS PORTRAYING THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

The Government Publishing Office may not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea that is disputed among two or more parties or the territory or airspace of areas administered by Japan or the Republic of Korea, including in the East China Sea, is part of the territory or airspace of the People's Republic of China.

SEC. 5224. AUTHORIZATION TO PROHIBIT CERTAIN ASSISTANCE TO COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) **PROHIBITION.**—Except as provided by subsection (c) or (d), no amounts may be obligated or expended to provide foreign assistance to the government of any country identified in a report required by subsection (b).

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the appropriate committees of Congress a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People's Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(2) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(3) **PUBLIC AVAILABILITY.**—The Secretary of State shall publish the unclassified part of the report required by paragraph (1) on a publicly available website of the Department of State.

(c) **EXCEPTION.**—This section shall not apply with respect to Taiwan, counterterrorism activities, counternarcotics activities, global health assistance, humanitarian assistance, disaster assistance, or emergency food assistance.

(d) **WAIVER.**—The President may waive the application of subsection (a) with respect to the government of a country if the President determines that the waiver is in the national interests of the United States.

(e) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1779. Mr. MORAN (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub

program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ REGIONAL INNOVATION CLUSTERS.

(a) **DEFINITIONS.**—In this section:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Small Business Administration.

(2) **AWARD.**—The term “award” means a contract, grant, or cooperative agreement.

(3) **CLUSTER INITIATIVE.**—The term “Cluster Initiative” means a formally organized effort to promote the growth and competitiveness of an industry sector through collaborative activities among Industry Cluster participants that is led by—

(A) a State;

(B) an Indian Tribe;

(C) a city or other political subdivision of a State;

(D) a nonprofit organization, including an institution of higher education or a venture development organization; or

(E) a small business concern.

(4) **INDUSTRY CLUSTER.**—The term “Industry Cluster” means a geographic concentration, relative to the size of the region under consideration, of interconnected businesses, suppliers, service providers, and associated institutions in an industry sector, including advanced manufacturing, precision agriculture, cybersecurity, biosciences, water technologies, energy production and efficiency, and outdoor recreation.

(5) **INDIAN TRIBE.**—The term “Indian Tribe” has the meaning given the term “Indian tribe” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(6) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) **SMALL BUSINESS CONCERN.**—The term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(8) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

(b) **SUPPORTING INDUSTRY CLUSTERS.**—

(1) **AUTHORIZATION.**—The Administrator shall enter into contracts with Cluster Initiatives that strengthen Industry Clusters in accordance with the requirements under this subsection.

(2) **INDUSTRY CLUSTER OUTCOMES.**—Cluster Initiatives shall be assessed according to their performance along the following metrics:

(A) Growth in number of small business concerns participating in the Industry Cluster and support industries.

(B) Growth in number of small business concern startups in the Industry Cluster.

(C) Growth in total capital, including revenue and equity investments, flowing to small business concern participants in the Industry Cluster.

(D) Growth in job creation by small business concerns or, in regions with declining total employment, job retention by small business concerns in the Industry Cluster.

(E) Growth in new products, services, or business lines.

(F) Growth in new technologies developed within the Industry Cluster.

(3) **REPORTING.**—The Administrator shall require Cluster Initiatives to submit annual reports documenting the outcomes in paragraph (2) and the activities contributing to those outcomes.

(4) **SELECTION CRITERIA.**—In entering into contracts with Cluster Initiatives under this subsection, the Administrator shall consider—

(A) the probable impact of the Cluster Initiative on the competitiveness of the Industry Cluster, including—

(i) whether the Cluster Initiative will be inclusive of any and all organizations that might benefit from participation, including startups, small business concerns not locally owned, and small business concerns rival to existing members of the Industry Cluster; and

(ii) whether the Cluster Initiative will encourage broad participation by and collaboration among all types of participants;

(B) if the proposed Cluster Initiative fits within a broader and achievable economic development strategy;

(C) the capacity and commitment of the sponsoring organization of the Cluster Initiative organization, including—

(i) the expected ability of the Cluster Initiative to access additional funds from other sources; and

(ii) the capacity of the Cluster Initiative to sustain activities once grant funds have been expended;

(D) the degree of involvement from relevant State and regional economic and workforce development organizations, other public purpose institutions (such as universities, community colleges, venture development organizations, and workforce boards), and the private sector, including industry associations; and

(E) the extent to which economic diversity across regions of the United States would be increased through the contract.

(5) **INITIAL AWARD.**—The Administrator may enter into a 1-year award not to exceed \$1,000,000 with each Cluster Initiative.

(6) **RENEWAL.**—

(A) **IN GENERAL.**—The Administrator may renew an award entered into with a Cluster Initiative under paragraph (5)—

(i) for 1 year in an amount not to exceed \$750,000 per year; and

(ii) for a total period not to exceed 5 years.

(B) **REQUIREMENT.**—A Cluster Initiative shall compete in a new funding opportunity to receive any further awards under this subsection.

(7) **CLUSTER INITIATIVE RESOURCES.**—

(A) **IN GENERAL.**—The Administrator may not enter into a contract under this subsection that would provide more than two-thirds of the revenue of the entity receiving the award.

(B) **EXCEPTION.**—The Administrator may make an award providing a higher percentage of the revenue of the entity receiving the award if the recipient adequately demonstrates that the Cluster Initiative will be able to access additional funding, such as through the revenues of subcontractors or through a commitment of matching funds provided from regional partners.

(8) **COMPETITIVE PROCESS.**—The Administrator shall enter into new awards under this subsection for each year that appropriations are available.

(c) **FEASIBILITY STUDY GRANTS.**—

(1) **IN GENERAL.**—The Administrator may award grants for feasibility studies, planning, and operations to support the launch of new Cluster Initiatives.

(2) **AMOUNT.**—The total amount of grants awarded under paragraph (1) shall not exceed \$250,000.